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Attorneys for Plaintiff and the Class

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SPENCER HOYT, individually, and on behalf of other similarly situated individuals, and on behalf of the general public,

Plaintiff.

V.

HIRERIGHT INC

Defendant

Case No. 3:13-cv-01432-BAS-BLM

**PLAINTIFF'S NOTICE OF
MOTION AND MOTION FOR
APPROVAL OF ATTORNEYS'
FEES AND EXPENSES AND CLASS
REPRESENTATIVE SERVICE
AWARD**

District Judge: Cynthia A. Bashant
Courtroom: 4B
Hearing Date: September 19, 2016
Time: 10:30 am

NOTICE OF MOTION AND MOTION

1 **NOTICE OF MOTION FOR APPROVAL OF ATTORNEYS' FEES AND**
2 **EXPENSES AND CLASS REPRESENTATIVE SERVICE AWARD**

3 Please take notice that Plaintiff's Motion for Approval of Attorneys' Fees and
4 Expenses and Class Representative Service Award will be heard together with
5 Plaintiff's forthcoming Motion for Final Settlement Approval on September 19, 2016
6 at 10:30 am Pacific Time, or as soon thereafter as the Motion may be heard, in
7 Courtroom 4B on the 4th Floor of the United States District Court for the Southern
8 District of California, 221 West Broadway, San Diego, California, before the
9 Honorable Cynthia Bashant.

10 **MOTION FOR APPROVAL OF ATTORNEYS' FEES AND EXPENSES AND**
11 **CLASS REPRESENTATIVE SERVICE AWARD**

12 Pursuant to Fed. R. Civ. P 23(h) and Rule 54(d), and in accordance with this
13 Court's Amended Order Granting Plaintiff's Motion for Preliminary Approval of the
14 Class Action Settlement (ECF No. 132), Plaintiff Spencer Hoyt respectfully moves
15 this Court for an Order awarding: (1) attorneys' fees of \$655,000 to Class Counsel; (2)
16 litigation expenses of \$60,000 to Class Counsel; and (3) a service award to Plaintiff in
17 the amount of \$10,000. This motion is unopposed by Defendant and is based on the
18 parties' settlement agreement; the points and authorities cited in Plaintiff's
19 accompanying memorandum of law; the Declaration of Anna P. Prakash in support of
20 the instant motion; arguments of counsel; and all files, records and proceedings in this
21 action.

22 Respectfully Submitted,

23 Date: July 25, 2016

NICHOLS KASTER, PLLP

24 _____
25 /s/Anna P. Prakash

26 Anna P. Prakash (*pro hac vice*)

27 Attorney for Plaintiff and the Class

1 **CERTIFICATE OF SERVICE**
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I hereby certify that a true and correct copy of the foregoing was served
electronically via ECF to all counsel of record.

6 Date: July 25, 2016

/s/Anna P. Prakash

7 Anna P. Prakash

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